

Assam: Ordinance to Grab Land

The Assam government has announced a three-year license holiday for setting up MSME units on June 29, ostensibly to facilitate Aatma Nirbhar Assam.

The state cabinet has passed the MSME Ordinance which puts an end to the process of taking permissions for setting up MSMEs in the state for next 3 years. After 3 years of operation, within the next 6 months, the industry has to apply for and obtain all the required permissions and licenses. Industry being setup on agricultural land has to be eligible for conversion to industrial land as per rules and regulations.

Under the existing rules, anyone who wants to set up a new industry in MSME sector in the state (investment limits: micro- upto Rs.1 crore, small-upto Rs 10 crore, medium- upto Rs 20 crore) has to give an undertaking to industry department that he shall abide with all Statutory Rules and Regulations of Pollution Control Board, Factories Act, Labour Act, etc before construction and starting production.

“Now any one will be able to set up industry in Assam just by submitting one self declaration. No permission, clearance or license will be required for three years. Land will also be deemed converted for industrial purposes. Such bold and advantageous change is expected to accelerate the industrialisation process in Assam,” state industries minister Chandra Mohan Patowary told the media.

The minister himself made it clear that under ordinance agricultural land can be easily converted for non-agricultural use and thus alienates indigenous people from their right over land. This ordinance is in clear violation of the Assam Agricultural Land (Regulation of Re-classification and Transfer for non-agricultural purpose) Act, 2015 which protects agricultural land from non-agricultural use through various prohibitions and restrictions.

The BJP-led government came to power in Assam with a promise of protecting *jati, mati* and *bheti* (race, land and hearth). It took advantage of the COVID-19 situation to make anti-indigenous people ordinance. This ordinance will be death knell for 115 small indigenous ethnic communities in Assam.

After opening up the fertile lands in Jammu and Kashmir to prey on for the industrial sharks, both Indian and foreign, the BJP government at the centre pushed the state governments where it is in power to enact similar laws. The governments of Gujarat, Rajasthan and Karnataka issued ordinances to this effect.

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